

OCT 21 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application Serial No. .... 09/579,402  
Filing Date ..... May 24, 2000  
Inventor ..... Kei-Yu Ko  
Assignee ..... Micron Technology, Inc.  
Group Art Unit ..... 2815  
Examiner ..... Eugene Lee  
Attorney Docket No. .... MI22-2042  
Customer No. .... 021567  
Title ..... Gate Stack Structure

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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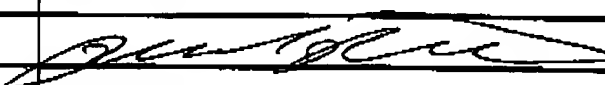
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	Filing Date	May 24, 2000
	First Named Inventor	Kai-Yu Ko
	Art Unit	2815
	Examiner Name	Eugene Lee
Total Number of Pages in This Submission	Attorney Docket Number	MI22-2042

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Firm Name	Wells St. John P.S.		
Signature			
Printed name	Mark S. Matkin		
Date	10/21/04	Reg. No.	32,268

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**STATEMENT OF THE SUBSTANCE OF THE INTERVIEW**

To: Commissioner for Patents  
**ATTENTION:** Examiner Eugene Lee  
Group Art Unit 2815  
P. O. Box 1450  
Alexandria, VA 22313-1450

**VIA FACSIMILE**

From: Mark Matkin (Tel. 509-624-4276; Fax 509-838-3424)  
Wells St. John P.S.  
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An interview was conducted between the undersigned and Examiner Lee on October 18, 2004.

The references discussed included U.S. Patent Nos. 5,403,779 to Joshi et al.; 5,229,311 to Lai et al.; and 5,192,703 to Lee et al. The undersigned emphasized the arguments submitted in his September 15, 2004 filed response, specifically that Joshi et al. only teaches that its collimated sputtered liner coats the base of the contact opening, and that such is thereby transformed into the depicted silicide. Thereby, Joshi et al. only teaches that its liner is always spaced from the semiconductor material by such silicide. Mr. Lee essentially agreed with this assertion, and which is

contrary to the statement made in the June 18, 2004 Office Action in the second sentence of the second complete paragraph on page 3.

However, Mr. Lee then newly asserted that the Joshi et al. silicide was "not necessary" and that Joshi et al. could therefore be "modified" to remove the depicted silicide such that physical connection with the semiconductor material would occur. However, there is absolutely no suggestion or motivation within the Joshi et al. reference for such a modification, and the reference specifically teaches away from or against such modification as it everywhere teaches lining of the lower contact opening bases at the silicon substrate with silicide just like all the other applied prior art. The undersigned also pointed out that if the Examiner's position had merit, why hadn't an assertion merely been made that Lee et al. could have been so modified or that Lai et al. could have been so modified? The fact that Joshi et al. forms a silicide at its contact opening bases in issue does not support a modification argument anymore than modification is suggested or reasonable for either of Lee et al. or Lai et al.

The facts are clear and remain that every one of the applied references teaches that Applicant's claim-recited second conducting material does not contact the semiconducting material, which is contrary to Applicant's claims 1, 9, 11, 19 and 20. The new modification proposed by the Examiner only results from hindsight reconstruction using Applicant's application as the guide for such reconstruction. Further, Joshi et al.'s silicide cannot be considered as Applicant's claim-recited "second

conducting material" due to structural limitations present in Applicant's claims for such material which are not present in Joshi et al.

Applicant's claims 1, 9, 11, 19 and 20 contain a feature or limitation not found in any of the applied art of record. The Patent Office's burden for a sustained obviousness rejection has not been met, and accordingly Applicant's claims 1, 9, 11, 19 and 20 should be allowed. Action to that end is requested.

Respectfully submitted,

Dated: 10-21-04

By: 

Mark S. Matkin  
Reg. No. 32,268